

# ***EXHIBIT 5***

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TEXAS GUARANTEED STUDENT LOAN CORPORATION,	)	CIVIL ACTON NO.
V. MERCER STREET BOOKS, INC.	) ) )	06-CV-11495(WHP) (THK) (ECF Case)
Plaintiff, Defendant.	)	December 6, 2007

**AFFIDAVIT OF ATTORNEYS' FEES AND COSTS**

I, Keith N. Costa, being duly sworn, hereby depose and say:

1. I am over the age of eighteen years, believe in the obligations of an oath or affirmation, and make this statement upon my personal knowledge.
2. I am local counsel for the Plaintiff in the above-titled action and am familiar with the attorneys' fees and costs incurred in prosecuting this litigation.
3. Attached hereto as Exhibit 1 is an updated itemization of the attorneys' fees and costs Plaintiff has incurred from my firm in this litigation.
4. Accordingly, the attorneys' fees and costs Plaintiff has incurred from my firm in this litigation to date are as follows:

Attorneys' Fees	\$19,876.50
Costs	<u>\$850.97</u>
<b>TOTAL</b>	<b>\$20,727.47</b>

The foregoing statements are true and correct to the best of my knowledge, information, and belief.

/s/ Keith N. Costa

Keith N. Costa

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

ss: Bridgeport

Subscribed and sworn to before me this 6<sup>th</sup> day of December, 2007.

/s/ Carol A. McConnell

Carol A. McConnell

Notary Public

My commission expires: August 31, 2008

Bridgeport/71256.1/JXG/662780v1

# ***EXHIBIT 1***

